S.B. CIVIL WRIT PETITION NO.1299/2003
Shiv Narain Pal
vs
The State of Rajasthan & Ors.

DATE OF ORDER:18.5.2006.

HON'BLE MR.R.C. GANDHI, J.

Mr.M.Mridual,Sr Advocate with Mr. PS Chundawat, for the petitioner.
Mrs. RR Kanwar, Dy. GA, for the respondents.

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(ORAL)

Learned counsel for the parties have agreed that the writ petition can be disposed of as the dispute involved in this petition is similar, which was subject matter of S.B. Civil Writ Petition No.8316/2002 title Darra Singh VS. State of Rajasthan & Ors. decided on 11th June, 2004 and reported in RLW 2005(1) Raj. 32.

The petitioner was appointed as Junior Engineer in the Municipal Board, Bari Sadri, District Chittorgarh. The State Government took a decision to regularize the services of the Junior Engineers. The screening committee was constituted for the purpose vide order dated 22.1.1998. The screening committee submitted the report on 25.1.2002. As per the recommendations of the committee, the services of Kailash Vyas and Anil Kumar Gupta belonging to general category and Shanker Lal Raigar belonging to SC category were regularized. Thereafter, the Government also regularized the services of Rameshwarlal Sharma,

Ramesh Chand Sharma and Babulal Kanoda who were posted in Municipal Board, Badi Sadri. Dara Singhm writ petitioner therein, appraoched the court pointing out discrimination being similarly situated alongwith Anil Kumar Gupta, Rameshwarlal Sharma, Ramesh Chand Sharma and Babulal Kanoda has not been treated similarly. The court taking into consideration the discrimination met out to Dara Singh, allowed the writ petition and set aside the order dated 25.10.2002, the ouster order, which is the subject matter of this petition also. While allowing the petition, the respondents were directed to give similar treatment to the said petitioner as has been given to Rameshwarlal Sharma, Ramesh Chand Sharma and Babulal Kandola and regularise the services of the petitioner on the post of Junior Engineers in accordance with law. It was also directed that the respondents shall ensure compliance of the order within two months from the date of receipt of copy of this order. The services of Dara Singh have been regularized in the implementation of the court orders as submitted.

Accordingly, the petition is allowed. The impugned order dated 25.10.2002 is set aside with a direction to the respondents to give similar treatment to the petitioner as has been given to Dara Singh, being the petitioner similarly situated.

(R.C. Gandhi), J.

c.p.goyal/-